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CIVIL COVER SHEETJS 44C/SDNY
REV. 06/01/17

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

Swain
PitmanPLAINTIFFS
Roger Dean GillispieDEFENDANTS
Motors Liquidation Company, et. al., f/k/a General Motors Corp., et. al.,
Wilmington Trust Company, as Trustee for and Administrator of the Motors
Liquidation Company General Unsecured Creditors TrustATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Loevy & Loevy, 311 N Aberdeen St., 3rd Fl, Chicago, IL 60607
(312) 243-5900ATTORNEYS (IF KNOWN)
King & Spaulding LLP, Kirkland & Ellis LLP, Gibson, Dunn, & Crutcher LLPCAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 158 - Bankruptcy Appeal

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned
Martin GlennIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☒ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	<input checked="" type="checkbox"/> 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
[] 150 RECOVERY OF	SLANDER	[] 368 ASBESTOS PERSONAL			[] 410 ANTITRUST
OVERPAYMENT &	[] 330 FEDERAL	INJURY PRODUCT			[] 430 BANKS & BANKING
ENFORCEMENT	EMPLOYERS'	LIABILITY			[] 450 COMMERCE
OF JUDGMENT	LIABILITY		PROPERTY RIGHTS		[] 460 DEPORTATION
[] 151 MEDICARE ACT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS		[] 470 RACKETEER INFLU-
[] 152 RECOVERY OF	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	[] 830 PATENT		ENCED & CORRUPT
DEFAULTED	LIABILITY	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ORGANIZATION ACT
STUDENT LOANS	[] 350 MOTOR VEHICLE		[] 840 TRADEMARK		(RICO)
(EXCL VETERANS)	[] 355 MOTOR VEHICLE				[] 480 CONSUMER CREDIT
[] 153 RECOVERY OF	PRODUCT LIABILITY			SOCIAL SECURITY	[] 490 CABLE/SATELLITE TV
OVERPAYMENT	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	[] 861 HIA (1395(f))	
OF VETERAN'S	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 862 BLACK LUNG (923)	[] 850 SECURITIES/
BENEFITS	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT	[] 863 DIWC/DIWW (405(g))	COMMODITIES/
[] 160 STOCKHOLDERS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT	[] 864 SSID TITLE XVI	EXCHANGE
SUITS			RELATIONS	[] 865 RSI (405(g))	
[] 190 OTHER	ACTIONS UNDER STATUTES	PRISONER PETITIONS	[] 740 RAILWAY LABOR ACT		[] 890 OTHER STATUTORY
CONTRACT	CIVIL RIGHTS	[] 463 ALIEN DETAINEE	LEAVE ACT (FMLA)	FEDERAL TAX SUITS	ACTIONS
CONTRACT	[] 440 OTHER CIVIL RIGHTS	[] 510 MOTIONS TO	[] 751 FAMILY MEDICAL	[] 870 TAXES (U.S. Plaintiff or	[] 891 AGRICULTURAL ACTS
PRODUCT	(Non-Prisoner)	VACATE SENTENCE	[] 790 OTHER LABOR	Defendant)	
LIABILITY	[] 441 VOTING	28 USC 2255	LITIGATION	[] 871 IRS-THIRD PARTY	[] 893 ENVIRONMENTAL
[] 196 FRANCHISE	[] 442 EMPLOYMENT	[] 530 HABEAS CORPUS	[] 791 EMPL RET INC	26 USC 7609	MATTERS
	[] 443 HOUSING/	[] 535 DEATH PENALTY	SECURITY ACT (ERISA)		[] 895 FREEDOM OF
REAL PROPERTY	[] 444 EDUCATION	[] 540 MANDAMUS & OTHER			INFORMATION ACT
[] 210 LAND			IMMIGRATION		[] 896 ARBITRATION
[] 220 CONDEMNATION	[] 445 AMERICANS WITH	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION		[] 899 ADMINISTRATIVE
FORECLOSURE	DISABILITIES -	[] 550 CIVIL RIGHTS	APPLICATION		PROCEDURE ACT/REVIEW OR
[] 230 RENT LEASE &	EMPLOYMENT	[] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
EJECTMENT	[] 446 AMERICANS WITH	[] 560 CIVIL DETAINEE	ACTIONS		[] 950 CONSTITUTIONALITY OF
[] 240 TORTS TO LAND	DISABILITIES -OTHER	CONDITIONS OF CONFINEMENT			STATE STATUTES
[] 245 TORT PRODUCT					
LIABILITY					
[] 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

**IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.**

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION ☐ 4 DIVERSITY
(U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[]	[]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[]	[]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[]	[]
CITIZEN OF ANOTHER STATE	[]	[]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]	[]	FOREIGN NATION	[]	[]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

N/A

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

N/A

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

N/A

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 10/26/2017 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. Yr.)

Attorney Bar Code # pro hac vice

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)